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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FITNESS INTERNATIONAL, LLC

Plaintiff,

-vs-

LEAH ALSPAUGH and DOES 1
through 50, inclusive,

Defendant.

Case No.: 8:22-CV-01800-DOC-DFM

**FITNESS INTERNATIONAL, LLC'S
FURTHER BRIEF RE: LEAH
ALSPAUGH'S CONTINUING
VIOLATIONS OF THE COURT'S
PERMANENT INJUNCTION**

Plaintiff FITNESS INTERNATIONAL, LLC (hereinafter "Fitness") respectfully submits the following further supplemental brief regarding defendant LEAH ALSPAUGH's (hereinafter "Alspaugh") continuing violations of the Permanent Injunction entered by this Court on May 8, 2023. [Dkt. 81.]

I. ALSPAUGH’S CONTINUED TRESPASS AT LA FITNESS LOCATIONS

A. LA Fitness – Irvine Location

On May 24, 2024, this Court held a status conference regarding Alspaugh’s continuing violations of the Court’s Permanent Injunction. Approximately 3 hours later, at approximately 4:30 p.m., Alspaugh showed up at Fitness’ Irvine LA Fitness location. She claimed her name was “Xing Wen,” and that she wanted to buy a membership. As an employee distracted Alspaugh, another employee contacted the police. Alspaugh was arrested on site, Irvine PD Case No. 24-05527. Below is a photograph of Alspaugh’s May 24, 2024 arrest at the LA Fitness Irvine location:



[Declaration of Mindy Stokesberry (“Stokesberry Decl.”), at ¶2.]

B. LA Fitness – La Habra Location

On June 13, 2024, at approximately 4:30, Police Officer Esquivel of the La Habra PD was called to Fitness’ La Habra LA Fitness location, and informed Fitness’ Operations Manager, Ernest Roque, that a woman was outside claiming LA Fitness stole

her keys. When Mr. Roque asked if the woman's name was Leah Alspaugh, Officer Esquivel confirmed her identity. Mr. Roque then showed the officer the restraining order. The officer asked if Mr. Roque wanted Alspaugh arrested, and he said yes. Mr. Roque has no knowledge as to whether Alspaugh was actually arrested. [Stokesberry Decl., at ¶3.]

II. ALSPAUGH'S CONTACT WITH THIRD PARTY VENDORS

A. Waterworks Aquatic

On May 8, 2024, Fitness received an email from Nick Steinbergs, an accounting associate with Fitness' vendor, Waterworks Aquatics, that they received a call from Alspaugh on May 7, 2024, stating that she was the owner of the pools at the La Habra and Long Beach LA Fitness locations, and had not received payment in a couple of months for those pools. She also asked about Water Aquatics' worker's compensation coverage and employee onboarding process, and requested documentation regarding same. [Stokesberry Decl. at ¶4, and **Exhibit 1** thereto]

On June 1, 2024 and June 3, 2024, Alspaugh showed up at Waterworks Aquatics' Irvine facility asking for their business licenses at the LA Fitness facility in La Habra. [Stokesberry Decl. at ¶5, and **Exhibit 2** thereto.]

B. BMO Bank

On June 11, 2024 (*after another status conference conducted in this Court that morning*), Alspaugh went to the Tustin branch of BMO Bank, and asked to hang a banner regarding a swim school on the building. Because representatives at BMO Bank had previously testified in this action regarding Alspaugh's prior attempt to add herself as a signatory to Fitness' bank account, the representatives recognized Alspaugh and informed Fitness. [Stokesberry Decl. at ¶6, and **Exhibit 3** thereto.]

III. ALSPAUGH'S CONTINUED HARASSMENT OF FITNESS' VICE PRESIDENT OF HUMAN RESOURCES, MINDY STOKESBERRY

A. June 10, 2024 Emails

On June 10, 2024, a status conference was held in the Orange County Superior Court on the criminal action pending against Alspaugh. (OC Superior Court case number 23HM01481). Following the hearing, Alspaugh sent three (3) emails to Fitness' Vice Present of Human Resources, Mindy Stokesberry, from the infringing email address prorcults411@gmail.com:

- 12:53 p.m. email, which states:

“EVEN THE BEST MAJOR LEAGUE PLAYERS ARE IN THE OUTFIELD MINDY. BECAUSE THEY CAN CATCH ALL THE FLY BALLS. ONE OF MY BEST GIFTS WAS THE BOSTON RED SOCKS PLAYBOOK FOR OFF SEASON TRAINING. AND THE WHITE SOXS TRAINING CAMP. CHIPPER JONES WAS THE ODR ATTORNIES FAVORITE PLAYER. MY FAVORITE THING TO DO IS PUT PEOPLES FACES ON GOLF BALLS AND SEND IT TO THEM. LIKE A TEE OFF. LOT OF THE TRAINING IS THE SAME. MY FAVORITE PLAYER IS PIG HOUSE HE WAS THE FIRST STARTING WALK ON FOR THE DETROIT TIGERS THE LOSING TEAM UNTIL 2018 WHEN THEY WENT TO THE WORLD SERIES. ONE OF MY CHRISTIANING WITH COMMISSARY WAS WHEN BARRY BONDS HIT THE WORLD RECORD FOR HOME RUN HITS.

BATTER BATTER UP,
LEAH”

- 1:12 p.m. email, which states:

“They also ask me have you no heart? Well thanks a lot now I have no nothing? No coy (*sic*) pont to fish in.”

- 1:19 p.m. email, which states”

“Please be advised that an lapd officer called me at asked me for bail money for a Howard stern school of business student who had been

1 arrested for vehicular manslaughter. He must of gotten my number off
 2 the banner I had since the sign approval from the city. This was a false
 3 call. I contacted the Howard stern school of business campus security and
 4 we can view the Yonkers New York address where Howard stern was
 5 resided and see the small seed farm publication fraudster there too.

6 Thank you,

7 Leah”

8 [Stokesberry Decl., at ¶7, and **Exhibit 4** thereto (typos in originals).]

9 **B. June 11, 2024 Email**

10 On June 11, 2024, a status conference was held in this Court. Following the
 11 status conference, Ms. Alspaugh sent Ms. Stokesberry a series of emails, from both the
 12 infringing email address proreults411@gmail.com, and a non-infringing email address
 13 leahaslapugh1@gmail.com:

- 14 • 10:14 a.m. email, which states:

15 “Mindy,

16 This is just between us. I have some naked pictures of the Bulgarian
 17 president having sex with a stater brothers key holder manager in the
 18 middle of nite and I will use them if anyone from Brics Indiana comes
 19 down my street again. In my god dam jerry Garcia tie.

20 Thank you,

21 Leah”

- 22 • 10:16 a.m. email, which states:

23 “Be aware of the magnets they put in the toilet bowl.”

- 24 • 10:21 a.m. email, which states:

25 “Sorry that was inappropriate please thank the jill wannabe for having
 26 my vehicles towed from my house again and I am not sure where she
 27 finds such good mechanics.”

- 12:37 p.m. email, which has no content, however the subject line states “Ufc gym is for underdawgs”

[Stokesberry Decl., at ¶8, and **Exhibit 5** thereto (typos in originals).]

C. June 12, 2024 Emails

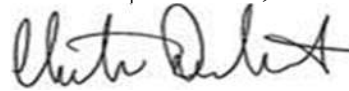
On June 12, 2024, Alspaugh sent Ms. Stokesberry the following emails, each sent from the non-infringing email address leahalspaugh1@gmail.com:

- 7:41 a.m. email, signed as “Linda,” which states:
“Any one who wants to dispute the videos can find the coin star at San Paulo. No more emails. Stay fit.
Thank you, Linda”
- 7:50 a.m. email, which states “Or Argentina. Thank you. Leah.”
- 9:41 p.m. email, which states
“If anyone ever walks you through a day in the life of a life coach let me know what that means. If someone ever ask you how to play a sport or play ball that I understand. Coaching I think the best women coach ever known was the North Carolina women’s basketball coach for mean Joey homes for sure. The best coaches are probably the losing coaches as they are always trying new strategies. The highest paid are the winning coaches as they always know how to score at the last play of the game. Believe it or not I have even met dmv coaches people with white boards and big white board markers drawing out the play of the week on the board. All of the coaches I know always train thier players by taking a lap or a seat on the bench or maybe that is just me . That is how I am coached. That is the all anyone needs to hear about coaching or telling someone what’s what and where is where to score the game. And there is no I in the word TEAM. That sounds stupid but it’s true.”

[Stokesberry Decl., at ¶9, and **Exhibit 6** thereto (typos in originals).]

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2 DATED: June 18, 2024

YOKA | SMITH, LLP

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BY: _____

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6 CHRISTINE C. DE METRUIS
7 Attorneys for Plaintiff, FITNESS
8 INTERNATIONAL, LLC
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